

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

FILED  
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CLERK OF DISTRICT COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT HIGH.  
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ADMINISTRATIVE ORDER RE: PROPOSED )  
AMENDMENTS TO LOCAL CIVIL RULES 5.2, )  
5.7, 10, 16 and 83.3 AND LOCAL CRIMINAL )  
RULES 12.7 and 49.10 )

No. 04- 024

Pursuant to 28 U.S.C. § 2071, Rule 83 of the Federal Rules of Civil Procedure, and Rule 57 of the Federal Rules of Criminal Procedure, the court hereby gives notice of its consideration of amendments to Local Civil Rules 5.2, 5.7, 10, 16 and 83.3, and Local Criminal Rules 12.7 and 49.10. The proposed amendments are as follows:

(a) Amendments requiring attorneys to submit all pleadings and other papers, with enumerated exceptions, electronically by means of the Court's CM/ECF system in all criminal and civil cases. [Local Civil Rule 5.7(a), 5.7(b), 5.7(d); Local Criminal Rule 49.10(a), (b), (d)].

(b) Amendments relieving attorneys of the obligation to file a proof of service for documents filed and served on opposing counsel electronically [Local Civil Rules 5.2, 5.7(h); Local Criminal Rule 49.6] and relieving attorneys of the obligation to file a duplicate original for the judge [Local Civil Rule 10.4; Local Criminal Rule 49.5] or to serve a copy on the Probation Officer [Local Criminal Rule 49.10(h)] when the original is filed electronically.

(c) An amendment allowing the United States Marshal to file and serve documents electronically in civil cases, as well as criminal cases. [Local Civil Rule 5.7(e)(vi)].

(d) An amendment providing that the electronically maintained file is the official record of civil proceedings and allowing the discarding of certain paper documents after a case is closed. [Local Civil Rule 5.7(d)(vi)].

(e) Miscellaneous technical amendments to the local civil rule regarding electronic filing, to conform it to the local criminal rule. [Local Civil Rule 5.7(e)(i), (ii)].

(f) An amendment allowing public access via the PACER system to all electronically maintained documents (except sealed documents) in criminal cases,

when such access is authorized by the Judicial Conference of the United States. [Local Criminal Rule 49.10(j)].

(g) Amendments conforming to this Court's privacy policy to recently enacted resolutions of the Judicial Conference of the United States. [Local Civil Rule 10.7; Local Criminal Rule 12.7].

(h) Amendments to the Local Civil Rules deleting reference to the Civil Justice Reform Act, now repealed. [Local Civil Rule 16.1, 83.3(b)].

The foregoing amendments have been reviewed and tentatively approved by a majority of the active judges of this court at a regular Judges' Meeting held on June 11, 2004. The amendments, if adopted, would be effective **January 1, 2005**.

NOTICE IS HEREBY GIVEN to all members of the public of their opportunity to review and comment upon the foregoing proposed amendments to the Local Civil and Criminal Rules. A copy of this order shall be posted in each divisional office and on the court's website. In addition, the Clerk shall provide a copy of the amendments to the Federal Bar Association, West Michigan Chapter, the State Bar of Michigan Committee on United States Courts, and the *Michigan Lawyer's Weekly*.

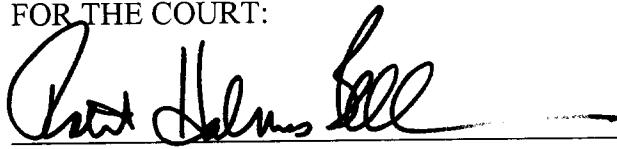
All comments should be in writing and must be received by the court no later than **October 1, 2004**. Comments should be addressed to:

Ronald C. Weston, Cr., Clerk  
United States District Court  
399 Ford Federal Building  
110 Michigan, N.W.  
Grand Rapids, MI 49503

or submitted electronically to [ecfhelp@miwd.uscourts.gov](mailto:ecfhelp@miwd.uscourts.gov). The court will consider all comments before promulgating a final version of the amended rules.

Dated: June 16, 2004

FOR THE COURT:



Robert Holmes Bell  
Chief Judge